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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Applicant(s)		
SOUDERS ET AL.		
Art Unit		
Altonic		
3622		
	SOUDERS ET AL	

Office Action Guillinary	Examiner	Art Unit					
	NAMRATA BOVEJA	3622					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address							
Period for Reply							
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of times may be available under the provisions of 37 CFR 1.13 date 50x (6) MONITY is from the making date of the communication. A state of the communication of the com	TE OF THIS COMMUNICATION 6(a). In no event, however, may a reply be tin ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	N. nely filed the mailing date of this o D (35 U.S.C. § 133).					
Status							
1) Responsive to communication(s) filed on 04 No	ovember 2009.						
2a) This action is FINAL. 2b) ☑ This	action is non-final.						
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is							
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.							
Disposition of Claims							
4)⊠ Claim(s) <u>1-37</u> is/are pending in the application.							
4a) Of the above claim(s) is/are withdrawn from consideration.							
5) Claim(s) is/are allowed.							
6)⊠ Claim(s) <u>1-37</u> is/are rejected.							
7) Claim(s) is/are objected to.							
8) Claim(s) are subject to restriction and/or	election requirement.						
Application Papers							
9)☐ The specification is objected to by the Examiner	. .						
10) ☐ The drawing(s) filed on 26 February 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).							
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority under 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of:	priority under 35 U.S.C. § 119(a)	+(d) or (f).					
1. Certified copies of the priority documents have been received.							
2. Certified copies of the priority documents have been received in Application No							
Copies of the certified copies of the prior application from the International Bureau	•	ed in this National	Stage				
* See the attached detailed Office action for a list of the certified copies not received.							
Attachment(s)							
1) Notice of References Cited (PTO-892)	4) Interview Summary	(PTO-413)					
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Da	ite					
3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	5) Notice of Informal F	atert Application					

U.S. Patent and Trademark Office PTOL-326 (Rev. 08-06)

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DETAILED ACTION

- 1. This office action is in response to the RCE communication filed on 11/04/2009.
- Claims 1-37 are presented for examination.
- 3. Amendments to claims 1, 2, 19, 20, and 37 have been entered and considered.

Claim Rejections - 35 USC § 102

U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

The following is a quotation of the appropriate paragraphs of 35

A person shall be entitled to a patent unless -(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

 Claims 1, 2, 13-15, 19, 20, 31-33, and 37 are rejected under 102(b) as being anticipated by Tuzhilin (US Patent Number 6,236,978 hereinafter Tuzhilin).

In reference to claims 1, 19, and 37 Tuzhilin teaches a method, system, and computer program product for generating recommendations over a computer network, comprising: collecting user events of a first and second user across a plurality of domains in a database (i.e. purchasing data, demographic data, psychographic data, travel locations, types of favorite restaurants, airline reservations, credit card transactions, Web site visit transactions for users X and Y) (see at least col. 1 lines 28-51, col. 3 lines 31-64, col. 3 lines 66 to col. 4 lines 2, col. 5 lines 28-46, and col. 11 lines 25-29), wherein each of the user events is at least in part defined by one or more user event parameters (i.e. information is received regarding what the user purchased and when and where the purchase was made) (see at least col. 3 lines 58 to col. 4 lines 29), and wherein the even parameters are automatically updated (i.e. the sales register

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records what items are purchase by the user and when) (col. 10 lines 63 to col. 11 lines 41); receiving a triggering event for recommendations (see at least col. 13 lines 38-42); analyzing the user events to formulate correlations between the user events in the database (see at least col. 5 lines 28 to col. 6 lines 35 and col. 13 lines 42-57); and generating recommendations in response to the triggering event in accordance with the correlations between the user events in the database (see at least col. 13 lines 57 to col. 14 lines 20).

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- 4. In reference to claims 2 and 20, Tuzhilin teaches the method and system wherein collecting user events comprises: receiving a user event from the plurality of domains, (i.e. information is received regarding what the user purchased and when and where the purchase was made) (see at least col. 3 lines 58 to col. 4 lines 29); validating the user event parameters in accordance with a predetermined set of rules (see at least col. 4 lines 53-67); if the user event fails to meet one of the predetermined set of rules, rejecting the user event (see at least col. 5 lines 17-19); and if the user event meets the predetermined set of rules, storing the user event in the database (see at least col. 5 lines 20-62).
- 5. In reference to claims 13 and 31, Tuzhilin teaches the method and system further comprising: receiving a request for recommending personalized items; and generating personalized recommendations in accordance with the correlations between user events in the database (see at least col. 13 lines 38-65).
- In reference to claims 14 and 32, Tuzhilin teaches the method and system wherein generating the personalized recommendations comprises: validating the

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request, wherein the request includes a set of predefined parameters; retrieving a first list of items the user shown preference from the database, wherein each item has a correlation value greater than or equal to a predefined threshold; (a) creating a set of recommendations of similar items for each item the user has shown preference; (b) storing the set of recommendations of similar items into a first list of recommendations; and (c) repeating steps (a) and (b) until all members of the first list of items are traversed; and refining the first list of recommendations in accordance with the correlation values and a set of predefined parameters (see at least col. 13 lines 38-65).

7. In reference to claims 15 and 33, Tuzhilin teaches the method and system wherein refining the first list of recommendations comprises: if the first list of recommendations is less than or equal to the predefined minimum number of items, returning the first list of recommendations; and if the first list of recommendations is greater than the predefined minimum number of items, improving the first list of recommendations in accordance with the correlation values and the set of predefined parameters (see at least col. 13 lines 38-65).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- Claims 3-12, 16-18, 21-30, and 34-36 are rejected under U.S.C. 103(a) as being unpatentable over Tuzhilin in view of Smith et al. Publication Number 2002/0010625

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parameter is not enabled, rejecting the user event.

(hereinafter Smith).

In reference to claims 3 and 21, Tuzhilin does not specifically teach the method and system wherein validating a particular user event parameter comprises: if the particular user event parameter exists in the database, continue validating another user event parameter until all user event parameters are validated; and if the particular user event parameter does not exist in the database, checking whether a predefined dynamic updating configuration corresponding to the particular user event parameter is enabled; if the dynamic updating configuration corresponding to the particular user event parameter to the database; and if the dynamic updating configuration corresponding to the particular user event

Smith teaches the method and system wherein validating a particular user event parameter comprises: if the particular user event parameter exists in the database, continue validating another user event parameter until all user event parameters are validated; and if the particular user event parameter does not exist in the database, checking whether a predefined dynamic updating configuration corresponding to the particular user event parameter is enabled; if the dynamic updating configuration corresponding to the particular user event parameter is enabled, adding the particular user event parameter to the database; and if the dynamic updating configuration corresponding to the particular user event parameter is not enabled, rejecting the user event (i.e. if an item has been purchased before and this has been recorded, when additional quantities are purchased, it is not recorded again, and instead the process

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moves on to another item and items that are sold to an insignificant number of customers are not recorded) (see at least page 8 paragraph 104). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Tuzhilin such that validating a particular user event parameter comprises: if the particular user event parameter exists in the database, continue validating another user event parameter until all user event parameters are validated; and if the particular user event parameter does not exist in the database, checking whether a predefined dynamic updating configuration corresponding to the particular user event parameter is enabled; if the dynamic updating configuration corresponding to the particular user event parameter to the database; and if the dynamic updating configuration corresponding to the particular user event parameter is enabled, adding the particular user event parameter to the database; and if the dynamic updating configuration corresponding to the particular user event parameter is not enabled, rejecting the user event to avoid the effects of "ballot stuffing," by counting multiple copies of items that are purchased as multiple purchases and to present the most popular results to the customers.

9. In reference to claims 4 and 22, Tuzhilin does not teach the method and system wherein validating the user event parameters comprises: validating the user event domain; validating the user event type; validating the user event value; validating the user event item; and validating the user identifier. Smith teaches the method and system wherein validating the user event parameters comprises: validating the user event domain (i.e. the user was shopping); validating the user event type (i.e. purchasing or reviewing); validating the user event value (i.e. what the user adds to his cart); validating the user event item (i.e. product identifier such as ISBN); and validating

the user identifier (i.e. unique user identifier) (see at least column 2, lines 47 to column 3, lines 6, column 3, lines 24-28 and lines 53-59, column 4, lines 9-31, column 10, lines 48-62, column 12, lines 10-19 and 44-55, and column 14, lines 33-41). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Tuzhilin to include the method and system wherein validating the user event parameters comprises; validating the user event domain; validating the user event type; validating the user event value; validating the user event item; and validating the user identifier to ensure that the user are presented with targeted recommendations. In reference to claims 5 and 23. Tuzhilin does not teach the method and system 10 wherein analyzing the user events comprising: applying a collaborative filter on the user events to compute correlation values between the user events; and storing the correlation values in a similarity database. Smith teaches the method and system wherein analyzing the user events comprising: applying a collaborative filter on the user events to compute correlation values between the user events; and storing the correlation values in a similarity database (see at least column 3, lines 41-59, column 7, lines 37-46, column 11, lines 58 to column 12, lines 9, and column 29, lines 37 to column 30, lines 4). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Tuzhilin to include the method and system wherein analyzing the user events comprising: applying a collaborative filter on the user events to compute correlation values between the user events; and storing the correlation values in a similarity database for producing better recommendations on the purchase of correlated products.

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11. In reference to claims 6 and 24, Tuzhilin does not teach the method and system further comprising: receiving a request for recommending similar items; and generating recommendations of similar items in accordance with the correlations between user events in the database. Smith teaches the method and system further comprising: receiving a request for recommending similar items; and generating recommendations of similar items in accordance with the correlations between user events in the database (see at least column 3, lines 41-59, column 4, lines 20-24 and 55-67, column 7, lines 37-46, column 11, lines 58 to column 12, lines 9, column 14, lines 3-13, and column 29, lines 37 to column 30, lines 4). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Tuzhilin to include the method and system further comprising: receiving a request for recommending similar items; and generating recommendations of similar items in accordance with the correlations between user events in the database for producing better recommendations on the purchase of correlated products.

- 12. In reference to claims 7 and 25, Tuzhilin teaches the method and system further comprising generating recommendations of similar items in accordance with a priority scheme (see at least col. 13 lines 38 to col. 14 lines 14).
- 13. In reference to claim 8 and 26, Tuzhilin teaches the method and system wherein generating recommendations of similar items comprises: validating the request, wherein the request includes a set of predefined parameters; if source domains are specified, generating a first list of recommendations in accordance with the source domains; and if the source domains are not specified, generating the first list of recommendations in

accordance with all available domains in the database (see at least col. 11 lines 53 to col. 12 lines 3 and col. 13 lines 38 to col. 14 lines 15).

In reference to claim 9 and 27, Tuzhilin does not teach the method and system wherein generating the first list of recommendations comprises; if the first list of recommendations is less than or equal to a predefined minimum number of items. returning the first list of recommendations; and if the first list of recommendations is greater than the predefined minimum number of items, improving the first list of recommendations in accordance with correlation values and the set of predefined parameters. Smith teaches the method and system wherein generating the first list of recommendations comprises: if the first list of recommendations is less than or equal to a predefined minimum number of items, returning the first list of recommendations; and if the first list of recommendations is greater than the predefined minimum number of items, improving the first list of recommendations in accordance with correlation values and the set of predefined parameters (see at least page 4 paragraph 52, page 6 paragraphs 80-82, and page 7 paragraphs 90 to page 8 paragraph 95). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Tuzhilin to include the method and system wherein generating the first list of recommendations comprises: if the first list of recommendations is less than or equal to a predefined minimum number of items, returning the first list of recommendations; and if the first list of recommendations is greater than the predefined minimum number of items, improving the first list of recommendations in accordance

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with correlation values and the set of predefined parameters to provide the most relevant recommendations to the users.

In reference to claims 10 and 28, Tuzhilin does not teach the method and system wherein improving the first list of recommendations comprises; forming a second list of recommendations from items of the first list of recommendations having a correlation value at or above a predefined threshold; if the second list of recommendations is less than or equal to the predefined minimum number of items, selecting a third list of recommendations comprising the minimum number of items prioritized according to correlation value from items of the first list of recommendations and returning the third list of recommendations; and if the second list of recommendations is greater than the predefined minimum number of items, improving the second list of recommendations in accordance with the correlation values and the set of predefined parameters. Smith teaches the method and system wherein improving the first list of recommendations comprises; forming a second list of recommendations from items of the first list of recommendations having a correlation value at or above a predefined threshold; if the second list of recommendations is less than or equal to the predefined minimum number of items, selecting a third list of recommendations comprising the minimum number of items prioritized according to correlation value from items of the first list of recommendations and returning the third list of recommendations; and if the second list of recommendations is greater than the predefined minimum number of items, improving the second list of recommendations in accordance with the correlation values and the set of predefined parameters (see at least page 4 paragraph 52, page 6

paragraphs 80-82, and page 7 paragraphs 90 to page 8 paragraph 95). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Tuzhilin to include the method and system wherein improving the first list of recommendations comprises: forming a second list of recommendations from items of the first list of recommendations having a correlation value at or above a predefined threshold; if the second list of recommendations is less than or equal to the predefined minimum number of items, selecting a third list of recommendations comprising the minimum number of items prioritized according to correlation value from items of the first list of recommendations and returning the third list of recommendations; and if the second list of recommendations is greater than the predefined minimum number of items, improving the second list of recommendations in accordance with the correlation values and the set of predefined parameters to provide the most relevant recommendations to the users.

16. In reference to claims 11 and 29, Tuzhilin does not teach the method and system wherein improving the second list of recommendations comprises: if the second list of recommendations is less than or equal to a predefined maximum number of items, returning the second list of recommendations; and if the second list of recommendations generated is greater than the predefined maximum number of items, further improving the second list of recommendations in accordance with the predefined source domains in the request. Smith teaches the method and system wherein improving the second list of recommendations comprises: if the second list of recommendations is less than or equal to a predefined maximum number of items, returning the second list of

recommendations; and if the second list of recommendations generated is greater than the predefined maximum number of items, further improving the second list of recommendations in accordance with the predefined source domains in the request (see at least page 4 paragraph 52, page 6 paragraphs 80-82, and page 7 paragraphs 90 to page 8 paragraph 95). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Tuzhilin to include the method and system wherein improving the second list of recommendations comprises: if the second list of recommendations is less than or equal to a predefined maximum number of items, returning the second list of recommendations; and if the second list of recommendations generated is greater than the predefined maximum number of items, further improving the second list of recommendations in accordance with the predefined source domains in the request to present the most relevant recommendations to the users.

17. In reference to claims 12 and 30, Tuzhilin does not teach the method and system wherein the step of further improving comprises: separating the second list of recommendations into a plurality of groups in accordance with the predefined source domains; (a) traversing each group one at a time, selecting a recommendation having the highest correlation value to form a fourth list of recommendations; (b) repeating step (a) until the fourth list of recommendations equal to the predefined maximum number of items; and returning the fourth list of recommendations. Smith teaches the method and system wherein the step of further improving comprises: separating the second list of recommendations into a plurality of groups in accordance with the predefined source

domains; (a) traversing each group one at a time, selecting a recommendation having the highest correlation value to form a fourth list of recommendations; (b) repeating step (a) until the fourth list of recommendations equal to the predefined maximum number of items; and returning the fourth list of recommendations (see at least page 4 paragraph 52, page 6 paragraphs 80-82, and page 7 paragraphs 90 to page 8 paragraph 95). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Tuzhilin to include the method and system wherein the step of further improving comprises: separating the second list of recommendations into a plurality of groups in accordance with the predefined source domains; (a) traversing each group one at a time, selecting a recommendation having the highest correlation value to form a fourth list of recommendations; (b) repeating step (a) until the fourth list of recommendations equal to the predefined maximum number of items; and returning the fourth list of recommendations to present the most relevant recommendations to users.

18. In reference to claims 16 and 34, Tuzhilin does not teach the method and system wherein improving the first list of recommendations comprises: forming a second list of recommendations from items of the first list of recommendations having a correlation value at or above a predefined threshold; if the second list of recommendations is less than or equal to the predefined minimum number of items, selecting a third list of recommendations comprising the minimum number of items prioritized according to correlation value from items of the first list of recommendations and returning the third list of recommendations; if the second list of recommendations is greater than the

predefined minimum number of items, improving the second list of recommendations in accordance with the correlation values and the set of predefined parameters. Smith teaches the method and system wherein improving the first list of recommendations comprises; forming a second list of recommendations from items of the first list of recommendations having a correlation value at or above a predefined threshold; if the second list of recommendations is less than or equal to the predefined minimum number of items, selecting a third list of recommendations comprising the minimum number of items prioritized according to correlation value from items of the first list of recommendations and returning the third list of recommendations: if the second list of recommendations is greater than the predefined minimum number of items, improving the second list of recommendations in accordance with the correlation values and the set of predefined parameters (see at least page 4 paragraph 52, page 6 paragraphs 80-82, and page 7 paragraphs 90 to page 8 paragraph 95). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Tuzhilin to include the method and system wherein improving the first list of recommendations comprises: forming a second list of recommendations from items of the first list of recommendations having a correlation value at or above a predefined threshold; if the second list of recommendations is less than or equal to the predefined minimum number of items, selecting a third list of recommendations comprising the minimum number of items prioritized according to correlation value from items of the first list of recommendations and returning the third list of recommendations; if the second list of recommendations is greater than the predefined minimum number of

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items, improving the second list of recommendations in accordance with the correlation values and the set of predefined parameters to provide the most relevant recommendations to users.

19. In reference to claims 17 and 35, Tuzhilin does not teach the method and system wherein improving the second list of recommendations comprises; if the second list of recommendations is less than or equal to a predefined maximum number of items, returning the second list of recommendations; and if the second list of recommendations generated is greater than the predefined maximum number of items, further improving the second list of recommendations in accordance with the predefined source domains in the request. Smith teaches the method and system wherein improving the second list of recommendations comprises: if the second list of recommendations is less than or equal to a predefined maximum number of items, returning the second list of recommendations; and if the second list of recommendations generated is greater than the predefined maximum number of items, further improving the second list of recommendations in accordance with the predefined source domains in the request (see at least page 4 paragraph 52, page 6 paragraphs 80-82, and page 7 paragraphs 90 to page 8 paragraph 95). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Tuzhilin to include the method and system wherein improving the second list of recommendations comprises; if the second list of recommendations is less than or equal to a predefined maximum number of items, returning the second list of recommendations; and if the second list of recommendations generated is greater than the predefined maximum number of items,

further improving the second list of recommendations in accordance with the predefined source domains in the request to provide the most relevant recommendations to the user.

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20. In reference to claims 18 and 36, Tuzhilin does not teach the method and system wherein the step of further improving comprises: separating the second list of recommendations into a plurality of groups in accordance with the predefined source domains; (a) traversing each group one at a time, selecting a recommendation having the highest correlation value to form a fourth list of recommendations; (b) repeating step (a) until the fourth list of recommendations equal to the predefined maximum number of items; and returning the fourth list of recommendations. Smith teaches the method and system wherein the step of further improving comprises; separating the second list of recommendations into a plurality of groups in accordance with the predefined source domains; (a) traversing each group one at a time, selecting a recommendation having the highest correlation value to form a fourth list of recommendations; (b) repeating step (a) until the fourth list of recommendations equal to the predefined maximum number of items; and returning the fourth list of recommendations (see at least page 4 paragraph 52, page 6 paragraphs 80-82, and page 7 paragraphs 90 to page 8 paragraph 95). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Tuzhilin to include the method and system wherein the step of further improving comprises: separating the second list of recommendations into a plurality of groups in accordance with the predefined source domains; (a) traversing each group one at a time, selecting a recommendation having the highest correlation

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value to form a fourth list of recommendations; (b) repeating step (a) until the fourth list of recommendations equal to the predefined maximum number of items; and returning the fourth list of recommendations to provide the most relevant advertisements to the user.

Response to Arguments

- 21. After careful review of Applicant's remarks/arguments filed on 11/04/2009, the Applicant's arguments with respect to claims 1-37 have been fully considered but are moot in view of the new ground(s) of rejection. Amendments to claims 1, 2, 19, 20, and 37 have been entered and considered.
- 22. With respect to the independent claims, the Applicant argues that Tuzhilin fails to disclose or suggest the amended feature of automatically updating event parameters. The Examiner respectfully disagrees with the Applicant, since Tuzhilin teaches that the sales register records what items are purchase by the user and when (col. 10 lines 63 to col. 11 lines 41). The Examiner would also like to point out to the Applicant that it is not 'invention' to broadly provide a mechanical or automatic means to replace manual activity which has accomplished the same result. In re Venner, 120 USPQ 192 (CCPA 1958) In re Rundell, 9 USPQ 220. So, even if Tuzhilin allegedly performs analysis and updating of the dynamic rules manually by a human, simply automating this step is not an invention if it achieves the same result.
- Applicants additional remarks are addressed to new limitations in the claims and have been addressed in the rejection necessitated by the amendments.

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Conclusion

 Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namrata (Pinky) Boveja whose telephone number is 571-272-8105. The examiner can normally be reached on Mon-Fri, 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on 571-272-6724. The **Central FAX** phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 1866-217-9197 (toll-free).

/NAMRATA BOVEJA/

Primary Examiner, Art Unit 3622